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EXAMINER	
ZHOU, TING	

ART UNIT	PAPER NUMBER
2173	

DATE MAILED: 06/08/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/825,717	STOAKLEY ET AL.	
	Examiner	Art Unit	
	Ting Zhou	2173	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *27 March 2006*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-14* is/are pending in the application.

4a) Of the above claim(s) *3* is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1,2 and 4-14* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1. The amendment filed on 27 March 2006 have been received and entered. Claims 1-2 and 4-14 (Group I) are confirmed as being the group of claims directed to the invention elected for the present prosecution, without traverse. The applicant has cancelled claims 15-21 (Group II). Claims 1-2 and 4-14 as amended are pending in the application.

Claim Objections

2. Claim 8 is objected to because of the following informalities: The spelling of the word threshold as "threshed" on line 10 of the claim is incorrect. It is suggested that the word be changed to -- threshold --. Appropriate correction is required.

Claim Rejections - 35 USC § 101

35 U.S.C. 101 reads as follows:

> Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

3. Claims 6 and 13 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. Claim 6 and 13 are not limited to statutory embodiments. In view of Applicant's disclosure, specification page 7, lines 4-20, the computer-readable medium is not limited to statutory embodiments, instead being defined as including both statutory embodiments (e.g., computer storage media such as RAM, ROM, etc.) and non-

statutory embodiments (e.g., communication media such as carrier waves). As such, the claim is not limited to statutory subject matter and is therefore non-statutory.

4. To expedite a complete examination of the instant application, the claims rejected under 35 U.S.C. 101 (nonstatutory) above are further rejected as set forth below in anticipation of the applicant amending these claims to place them within the four statutory categories of invention.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

5. Claims 1-2 and 4-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Moon et al. U.S. Patent 6,385,662 (hereinafter "Moon") and Cecchini et al. U.S. Patent 5,790,122 (hereinafter "Cecchini").

Referring to claim 1, Moon teaches a method in a computer system for organizing and displaying notification items associated with corresponding notifications on a display (icons and application launch buttons associated with the system applications, displayed on the status bar, as shown by reference character "115" in Figure 1) having a notification area (status bar shown by reference character "121" in Figure 1) (Moon: column 4, lines 17-22 and 56-60) comprising identifying an item associated with a notification area icon, wherein the notification area icon

represents a particular instance of an event or process (for example, if an email message arrives, a notification icon identifying the email application is sent to the status bar, the notification icon representing a particular instance, i.e. email application, of an event or process, i.e. notification request) (Moon: column 4, lines 20-30 and 56-60) and monitoring an interval of time associated with an activity of the item (monitoring whether the user has selected the message icon within a fixed time period) (Moon: column 4, line 49 – column 5, line 13), and hiding the notification area icon from view after a predetermined interval of time (if the user has not selected the message icon after a fixed time period, the message icon is hidden, or disappears) (Moon: column 4, line 49 – column 5, line 13). However, although Moon teaches monitoring some aspect associated with an item and redisplaying the notifications upon receipt of a user input indicating a desire to view the hidden notifications (when the user wishes to respond to an event, the history icon can be selected and the history file displaying the events accessed) (Moon: column 5, lines 7-9), Moon fails to explicitly teach upon receipt of a user input indicating a desire to view the notification area icon, redisplaying the notification area icon in the notification area and repeating the monitoring and hiding. Cecchini teaches a computer user interface that monitors some aspect associated with an item (monitoring whether a pointer is over a "hot spot") and hides icons (Cecchini: column 1, lines 12-20) similar to that of Moon. In addition, Cecchini further teaches upon receipt of a user input indicating a desire to view the notification area icon, redisplaying the notification area icon in the notification area and repeating the monitoring and hiding (upon receipt of a user's desire to view the hidden icons, i.e. a pointer is positioned by the user, the hidden icons become visible, i.e. are redisplayed; elements are displayed when the pointer is positioned on the "hot spot" associated with the element and hidden when the pointer

is not positioned on the "hot spot" associated with the element, therefore, the system constantly, i.e. repeatedly monitors whether the pointer is positioned over the "hot spot" and hides the item associated with the "hot spot" correspondingly) (Cecchini: column 1, lines 12-20 and column 3, lines 3-18). It would have been obvious to one of ordinary skill in the art, having the teachings of Moon and Cecchini before him at the time the invention was made, to modify the user interface hiding a notification icon in response to a monitored aspect associated with an item, such as a predetermined interval of time taught by Moon to include the redisplaying and repeating of the monitoring and hiding of icons upon user input of Cecchini. One would have been motivated to make such a combination in order to reduce screen clutter and maximize utilization of precious screen space.

Referring to claim 2, Moon, as modified, teaches arranging the notification area items (message icons) in the order in which the notifications occur (as more notifications are received, they are each displayed on the status bar) (Moon: column 3, lines 10-13 and column 4, lines 17-22).

Referring to claim 4, Moon, as modified, teaches determining the occurrence of activity on the monitored and hidden item, and revealing the item by redisplaying the item upon the occurrence of activity (monitoring the hidden icons for pointer activity, at which time, the hidden icons become visible, i.e. are redisplayed) (Cecchini: column 1, lines 12-20 and column 3, lines 3-18).

Referring to claim 5, Moon, as modified, teach revealing the icons in order of the most recently active application through display of the notification icons that has the most recent level of activity. When the user selects the history icon, a history file showing an event log of hidden

messages are displayed with information such as time, date, etc. (Moon: column 5, lines 39-50); therefore, the user can respond to the event messages according to the most recently active application, or the most recent event message.

Referring to claim 6, Moon, as modified, teach a computer-readable storage medium containing computer-executable instructions for performing the method recited in claim 1 (personal communication assistant "PCA") (column 1, lines 6-15).

Referring to claim 7, Moon, as modified, teach a computer system having a processor, memory, and an operating environment, the computer system operable to execute the method recited in claim 1 (personal communication assistant "PCA") (column 1, lines 6-15).

Referring to claim 8, Moon teaches a method comprising displaying each of the notification items in the notification area (for example, if an email message arrives, a notification icon identifying the email application is sent to the status bar, the notification icon representing a particular instance, i.e. email application, of an event or process, i.e. notification request) (Moon: column 4, lines 20-30 and 56-60); hiding inactive notification item icons that meet a preset threshold of inactivity (if the user does not select an event, or message icon in the history file, the history file is hidden to allow the user to return to the current application, thereby hiding each message representing event notifications in the history file), retrieving a chevron icon (displaying a history icon) (Moon: column 4, line 49 - column 5, line 4 and column 5, lines 39-50). However, although Moon teaches monitoring some aspect associated with an item and redisplaying the notifications upon receipt of a user input indicating a desire to view the hidden notifications (when the user wishes to respond to an event, the history icon can be selected and the history file displaying the events accessed) (Moon: column 5, lines 7-9) and removing the

chevron icon when there are no more hidden items (removing the history icon once the user's response is complete, i.e., there are no more messages in the history file) (Moon: column 4, line 49 - column 5, line 4 and column 5, lines 39-50), Moon fails to explicitly teach upon receipt of a user input indicating a desire to view the hidden notification area icons, repeating the displaying each of the notification item icons in the notification area and repeating said hiding after said preset threshold of inactivity is met. . Cecchini teaches a computer user interface that monitors some aspect associated with an item (monitoring whether a pointer is over a "hot spot") and hides icons (Cecchini: column 1, lines 12-20) similar to that of Moon. In addition, Cecchini further teaches upon receipt of a user input indicating a desire to view the hidden notification area icons, repeating the displaying each of the notification item icons in the notification area and repeating said hiding after said preset threshold of inactivity is met (upon receipt of a user's desire to view the hidden icons, i.e. a pointer is positioned by the user, the hidden icons become visible, i.e. are redisplayed; elements are displayed when the pointer is positioned on the "hot spot" associated with the element and hidden when the pointer is not positioned on the "hot spot" associated with the element, therefore, the system constantly, i.e. repeatedly monitors whether the pointer is positioned over the "hot spot" and hides the item associated with the "hot spot" correspondingly) (Cecchini: column 1, lines 12-20 and column 3, lines 3-18). It would have been obvious to one of ordinary skill in the art, having the teachings of Moon and Cecchini before him at the time the invention was made, to modify the user interface hiding a notification icon in response to a monitored aspect associated with an item, such as a predetermined interval of time taught by Moon to include the redisplaying and repeating of the monitoring and hiding of

icons upon user input of Cecchini. One would have been motivated to make such a combination in order to reduce screen clutter and maximize utilization of precious screen space.

Referring to claim 9, Moon, as modified, teach receiving a chevron entry selection signal indicative of user selection of the chevron icon, and in response to the chevron selection signal, displaying each of the hidden notification items on the display (Moon teaches receiving user selection of the history icon and displaying the hidden history file and consequently the messages representing event notifications within the history file; furthermore, Cecchini teaches that upon receipt of a user's desire to view the hidden icons, i.e. a pointer is positioned by the user, the hidden icons become visible, i.e. are redisplayed) (Moon: column 4, lines 39-50; Cecchini: column 1, lines 12-20 and column 3, lines 3-18).

Referring to claim 10, Moon, as modified, teach the unhide criteria being met when an entry selection signal indicative of a user selection of the notification item icon is selected by the user from the displayed, previously hidden icons (Moon teaches that when the user selects the history icon, therefore satisfying an unhide criteria, the previously hidden history file and consequently the messages representing event notifications within the history file, are displayed to the user; furthermore, Cecchini teaches that upon receipt of a user's desire to view the hidden icons, i.e. a pointer is positioned by the user, the hidden icons become visible, i.e. are redisplayed) (Moon: column 4, lines 39-50; Cecchini: column 1, lines 12-20 and column 3, lines 3-18).

Referring to claim 11, Moon, as modified, teach displaying the notification item icon in the notification area on the display in response to the selection (upon receipt of a user's desire to

view the hidden icons, i.e. a pointer is positioned by the user, the hidden icons become visible, i.e. are redisplayed) (Cecchini: column 1, lines 12-20 and column 3, lines 3-18).

Referring to claim 12, Moon, as modified, teach the notification item icon is placed to the far left of the notification area (the message or notification display area represented by character 121 is on the left hand side of the notification area, or status bar represented by reference character 120, shown in Figure 1 of Moon).

Referring to claim 13, Moon, as modified, teach a computer-readable storage medium containing computer-executable instructions for performing the method recited in claim 8 (personal communication assistant "PCA") (Moon: column 1, lines 6-15).

Referring to claim 14, Moon, as modified, teach a computer system having a processor, memory, and an operating environment, the computer system operable to execute the method recited in claim 8 (personal communication assistant "PCA") (Moon: column 1, lines 6-15).

Response to Arguments

6. Applicant's arguments filed 7 November 2005 have been fully considered but they are not persuasive:

7. As a first note, the examiner respectfully points out that should independent claims 1 and 8 be found to be in condition for allowance in future prosecutions, dependent claims 7 and 14 would not be allowable subject matter because claims 7 and 14 merely claim a system having a processor, memory and an operating environment, which is notoriously well known in the art; although claims 7 and 14 recites the system is *operable* to execute the method recited in claims 1

and 8, the recited capability of the system to execute the method does not necessarily equate to the system actually executing the method.

8. The applicant argues that the combination of Moon and Cecchini would not teach the limitation of repeating said monitoring and said hiding upon receipt of a user input, because Cecchini displays, hides and redisplays navigational controls based only on the position of the mouse pointer and without regard to inactivity. The examiner respectfully disagrees. Moon teaches that displayed items are monitored with regard to a monitored parameter such as inactivity associated with a period of time and hidden according to the monitored parameters, as recited in column 4, line 49 – column 5, line 13. Similarly, Cecchini also teaches that displayed items are monitored with regard to some parameter, such as the position of a pointer, and hidden according to the monitored parameter of the position of the pointer. In addition, Cecchini also teaches that the monitoring and hiding of the item is constant; in other words, the system is constantly monitoring the position of the mouse pointer to determine when and if it is over a "hot spot" so that whenever the mouse pointer is over a "hot spot", the corresponding item is displayed, and whenever the pointer is not over a "hot spot", the corresponding item is hidden (column 3, lines 7-17). Therefore, the monitoring and hiding of the item is constant, i.e. repeated. Since both Moon and Cecchini teaches monitoring and hiding items based on some aspect or parameter associated with a displayed item, the examiner respectfully argues that the combination of Moon and Cecchini teaches that upon receipt of a user input indicating a desire to view the notification area icon, redisplaying the notification area icon in the notification area and repeating the monitoring and hiding.

9. Furthermore, the applicant argues that there is no suggestion or motivation to modify or combine the teachings of Moon and Cecchini. The examiner respectfully disagrees. As the examiner pointed to above, both Moon and Cecchini teach similar interfaces that both monitor some aspect of displayed items and hides the items according to the monitored aspects. Furthermore, Cecchini explicitly states on column 3, lines 3-6, that the constant, or repeated monitoring and hiding of the items "provides the advantages of reducing screen clutter, enhancing the visual impact of the graphical or other data and maximizing utilization of screen space". Therefore, the examiner respectfully argues that there are adequate motivation to combine the teachings of Moon and Cecchini.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ting Zhou whose telephone number is (571) 272-4058. The examiner can normally be reached on Monday - Friday 7:00 am - 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca can be reached at (571) 272-4048. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

TZ

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PRIMARY EXAMINER